

Region 10 EPA - Office of Air Quality

Full Text of Announcement

FY2005 Request for Initial Proposals: Grant Solicitation Notice

under
CLEAN AIR ACT Sections 103 and 105

I. FUNDING OPPORTUNITY DESCRIPTION

It is U.S. Environmental Protection Agency (EPA) policy to work with Indian Nations on a government-to-government basis toward environmental protection in Indian Country. The purpose of this grant program is to provide funding for tribal air pollution control programs, or for projects that support air quality assessment and development of needed tribal air program capacity. Funds are available for tribal air grants under §103 and §105 of the Clean Air Act (CAA). All grant activities must be related to assessment, prevention, or control of air pollution. In addition, the goal of these grants is to assist tribes in developing the capacity to manage their own air quality programs in accordance with their individual needs. EPA requires grantees will use quarterly reports and final reports to document measurable environmental results and outcomes.

Within the context of the limited resources available, individual tribes without reservations, by virtue of having no territorial jurisdiction over which they can assert management authority under the Clean Air Act, will be less competitive for this funding than tribes seeking support to build their capacity to manage, or actually taking steps to manage, the air quality within reservation boundaries, where there is no other regulatory authority.

II. AWARD INFORMATION

Region 10 anticipates awarding up to approximately \$1,500,000 in grants and cooperative agreements under this announcement to tribes and tribal consortia. These grants will typically range in amount from \$50,000 to \$125,000 for a one year project or up to \$250,000 for a two year project. Any request for more than \$125,000 will be considered only based upon exceptional demonstrated need, potential environmental results, and funding availability.

Note on Two Year Proposals: Two year proposals are encouraged, where appropriate. If a two year project is awarded, it may initially be funded for one year leaving the second year funding contingent upon availability.

Proposed project periods should typically begin October 1, 2005 and extend for *either* one year (September 30, 2006) or two years (September 30, 2007). For current grantees seeking an award to amend their existing grant, the proposed project period should also end on either of these dates, regardless of the original start date of the current grant, *but in no case*, beyond five years from the grant's initiation.

We do not expect available resources to allow us to fund all proposals, nor to fully fund all

proposals selected. Consequently, selected applicants may be offered funds in an amount less than the proposal requests for negotiated portions of the project. Preference will be given to proposals that show the greatest prospect of addressing serious air quality needs and producing clear environmental results, and where past grant performance has been successful. [See evaluation criteria, below, under Part V, page 4.]

CAA §103 grants are for limited duration projects (no more than five years), to conduct “research, investigation, experiments, demonstration, surveys, and studies relating to the causes, effects (including health and welfare effects), extent, prevention, and control of air pollution.” Generally, these grants support program development. There is no match requirement for the CAA §103 grants. However, applicants may contribute a non-federal cash, or in-kind, match toward the completion of the project. Reference *Catalog of Federal Domestic Assistance §66.034* for further guidance on this grant authority.

CAA §105 grants are authorized to be awarded to “air pollution control agencies” to implement programs for the prevention and control of air pollution or the implementation of national primary and secondary ambient air quality standards. The rules by which a tribe can qualify as an “air pollution control agency” can be found in 40 CFR, Part 49. Reference *Catalog of Federal Domestic Assistance §66.001* for further guidance on this grant authority. A match of up to 40% is required for a CAA §105 grant. [Tribes that have established eligibility to be treated in the same manner as a state (TAS) qualify for a reduced match of 5% to 10%.] These grants are typically only available to a tribe after assessment of air quality demonstrates a need and capability for an ongoing regulatory air program. Prospective CAA §105 grant applicants should contact an EPA project officer for more information.

III. ELIGIBILITY INFORMATION

Federally recognized Indian tribes and intertribal consortia located within Region 10 are eligible to receive funds under this program. While tribes without reservations are not precluded from applying, priority will be given to build the capacity of tribes with reservations to manage their own air quality issues, where they demonstrate a commitment to develop their own regulatory capacity. The following work plan activities would be examples of how such a commitment might be demonstrated:

- Building tribal regulatory capacity by assisting with EPA’s implementation of the Region 10 Federal Air Rules for Reservations in Washington, Oregon, and Idaho, upon their promulgation,
- Developing and implementing tribal regulations, or
- Pursuing delegation of authority to implement a portion of the Clean Air Act pursuant to a Tribal Implementation Plan.

Examples of Fundable Projects:

- ambient air quality assessments.

- identification and investigation of air pollution sources.
- ambient air quality monitoring.
- community education and outreach on air pollution issues.
- participation in local, regional and national air quality initiatives.

Activities *Not* Eligible for Funding:

- activities not related to air pollution, its prevention and control.
- remediation activities related to indoor air quality problems.
- data collection without an EPA-approved Quality Assurance Plan

IV. Application and Submission Information

Solicitation: This solicitation notice requesting proposals for FY 2005 tribal air grant funding will be distributed by mail, email or web page announcement, to all federally-recognized tribes in Region 10.

Procedure: To apply for these funds the Initial Proposal must be **postmarked by February 9, 2005. The proposal must address each of the Selection Criteria listed in Section V- Initial Proposal Review Information.** The proposals should be no longer than *five* pages, in font no smaller than size 12 *Times New Roman* or equivalent, *must* conform to the following format, and provide the requested information:

1. Introduction: Contact information (name, title, address, phone and fax numbers, email address), background information relevant to applicant's EPA or environmental grant experience.
2. Program Description: For tribal applicants, a description of the air quality work completed to date, whether with BIA, GAP, or other funding support. For non tribal applicants, a discussion of the nature of the organization and experience working with tribes on environmental issues.
3. Statement of Need: A discussion of the air pollution sources on and off the reservation or the air quality issues identified by the tribe or organization, which may include health impacts, preservation of natural or cultural resources, and the population impacted.
4. Proposed Workplan Summary: A *brief* description of the proposed project's activities, commitments, time frames and deliverables. Identify the measurable environmental outcomes you expect the project to provide. (If a proposal is selected for funding, a final work plan will be negotiated between the applicant and the EPA air project officer.)
5. Environmental Results Evaluation: A description of how you will measure and/or document the environmental results of the proposed project.
6. Proposed Budget Summary: Indicate the *estimated* costs for the work plan broken

down by federal budget category and the FTE percentage required for each work plan objective. (Maximum 1 page.)

A full application (Form SF 242) should not be submitted at the time of the initial proposal as the actual funding amounts will not be known.

EPA staff will review all proposals received or postmarked by **February 9, 2005**. Applicants will be notified by **March 25, 2005**, if their proposal has been selected for further consideration. If selected, the applicant will be notified of the amount of funding to be made available and provided with comments on the proposed work plan. A full and complete application package should be submitted to EPA by **May 18, 2005** to ensure award by October 1, 2005.

Note: Applications received *after May 18, 2005 may not be funded*.

Application: All applications must meet the requirements outlined in the EPA Region 10 Grants Handbook: <http://yosemite.epa.gov/R10/HOMEPAGE.NSF/webpage/Grants>. A complete and detailed application must be submitted to EPA to receive the funding set aside for the applicant. Applications must include the federal Standard Form 424 and 424A, a revised work plan and budget based upon the comments provided, as well as all appropriate supporting documents.

Note on Indirect Costs: Indirect costs may be included in your proposal only if the tribe/tribal organization has an approved ***Indirect Cost Rate Agreement*** or provides documentation that it has applied for an indirect cost rate covering the period beginning October 1, 2005. A copy of your approved Indirect Cost Rate Agreement or documentation of application therefor *must* be supplied with application or on file with EPA.

Grant Award: Once the completed application is received and reviewed by EPA, the Grant Specialist and/or the Project Officer will contact the tribe or other applicant, if any additional revisions are necessary. Awards will be made no later than **September 30, 2005**.

V. INITIAL PROPOSAL REVIEW INFORMATION:

General Grant Requirements: General tribal grant requirements are published at 40 CFR Parts 31 and 35. Nothing in this announcement is intended to supercede any part of the applicable regulations.

Evaluation Criteria: EPA will review all eligible proposals, considering the criteria listed below in selecting which proposals will be selected for consideration of funding.

PRIMARY FACTORS:

Environmental, Cultural or Health Concerns: (Maximum 50 Points)

Significant Air Quality Related Health Concerns: A tribe has, or is believed to have, a significant air pollution problem that has an adverse impact on human health. An air pollution problem would include but not be limited to: a reservation or a portion of a reservation being designated nonattainment; air toxics issues; atmospheric deposition/bioaccumulation issues; and indoor air quality concerns (except radon). On-reservation population size (tribal and non-tribal) may be used as part of this criteria.

Significant Air Quality Related Environmental and Cultural Resources Concerns: A tribe has reasonable concerns that air pollution is having an adverse impact on cultural resources or the environment within its jurisdiction. Issues such as visibility concerns and modeled or monitored Class I increment violations under the Prevention of Significant Deterioration regulation would be addressed here. Again, on-reservation population size (tribal and non-tribal) may be used as part of this criteria.

The following information may be relevant to showing eligibility under the above factors:

- ▶ any air pollution sources located within tribal jurisdiction, including major stationary (i.e. Title V) sources, minor sources, area sources and any other sources of concern;
- ▶ whether or not the reservation is located in an area that has been designated under the Clean Air Act as “non-attainment” for one of the pollutants for which there are National Ambient Air Quality Standards (ozone, particulates, sulfur dioxide, nitrogen dioxide, carbon monoxide and lead).
- ▶ evidence and magnitude of impacts on human health and the environment from a source that the proposal will seek to address (describe the size of population or potentially impacted area);
- ▶ adverse impacts to tribal air quality caused by air pollution generated off-reservation, including any nearby pollution sources and/or nearby urban areas;
- ▶ other health or environmental risk concerns related to air quality.

Applicant’s Potential to Address Identified Need (Maximum 30 Points)

This criteria is intended to evaluate the applicant’s existing air quality capacity, background and experience for evidence of the ability to successfully complete the proposed project and that the project will address the identified air quality need. The proposal should provide information on:

- ▶ existing air quality monitors located on the reservation that are currently collecting air quality data; the date on which the Quality Assurance Plan was approved by EPA; and the date and the number of quarters that data has been submitted to EPA’s AIRS/AQS database.
- ▶ training and experience of the staff who will be responsible for the workplan.
- ▶ air quality codes or ordinances that have been adopted by the tribal government or other evidence that air quality is a priority issue for tribal grantee(s).

- ▶ the nature of prior air-related projects, identifying environmental results achieved, such as those funded under an EPA GAP grant.
- ▶ successfully accomplishing grant workplan objectives in past grants, such as evidenced under prior GAP or other EPA funding.

OTHER FACTORS (Maximum 20 Points):

The following four criteria will be used in addition to the Primary Factors, above. Where tribes are addressing similar issues, these criteria will be used to support decisions that increase the chance of successful implementation of tribal air quality management programs.

- (a) Programmatic Commitment: To recognize that some tribal governments have made long-term commitments to develop and implement air quality programs
- (b) Leadership and Involvement: To recognize tribes that have emerged or are expected to emerge as leaders or key participants in providing tribal input into external factors that affect air quality management nationwide.
- (c) Prior Demonstration of Grant Performance: A tribe has successfully completed the workplan activities and objectives for a prior grant or grants, including timely submission of reports, deliverables, and required grant and financial management activities; with additional consideration for having established and sustained some air quality project management capacity.
- (d) Reservation Location: The tribe is located where essential monitoring data can be gathered. This factor may be important in network monitoring, particularly where it is important to collect data that describe background or attainment conditions, to quantify transport, and to assess attainment status, as well as to assess conditions such as deposition and toxics.
- (e) Collaborative Efforts: The tribe has participated actively in collaborative air quality management planning with other state, local or federal agencies, such as through a Tribal/EPA Agreement that contains an air component, or an air-related Memorandum of Understanding or Intergovernmental Agreement.

Note on Impact of Past Grant Performance: If there have been problems with past grant performance, this will weigh heavily upon the decision to award a grant or the amount of any award that may be made. Such problems may include but are not limited to: failure to sufficient adhere to agreed timeline, late or missing progress reports, performing work outside the workplan, or other failure to comply with grant terms and conditions.

All proposals MUST address each of the criteria stated above and follow the format described in Section IV.

VI. AWARD ADMINISTRATION

Regulations governing the award and administration of Environmental Program Grants for tribes including under the Clean Air Act are found at 40 CFR Part 31 for §103 grants, and 40 CFR Part 35, Subpart B for §105 grants. Regulations governing grants to non-profit organizations and

universities are found at 40 CFR Part 30. Additional guidance on CAA §103 grant authority can be found in the Catalog of Federal Domestic Assistance §66.034; CAA §105 authority is covered under CFDA §66.001.

Quarterly progress reports and annual Financial Status Reports are mandatory obligations under EPA grant programs. The quarterly reports must explain the status of each work plan task and deliverable, describe the project activities and provide the EPA Project Officer with information about project development. EPA expects grantees to report environmental results, when they are achieved, as a part of quarterly reporting. The Financial Status Report (FSR) must accurately account for all federal funds expended and identify appropriate use of federal funds. A final programmatic and Financial Status Report will be required at the expiration or termination of the grant.

Disputes: Procedures at 40 CFR 30.63 and 40 CFR 31.70 will apply.

Confidentiality: Applicants must clearly mark information they consider confidential and EPA will make confidentiality decisions in accordance with Agency Regulations at 40 FR, Part 2, Subpart B.

EPA Role and Evaluation of Performance: EPA's roles and responsibilities in carrying out work plan commitments may include work plan negotiations, and site visits to the grantees. These actions contribute to EPA's evaluation of grantee performance towards meeting workplan commitments. Grants may be made either as Assistance Agreements or Cooperative Agreements.

Note: EPA reserves the right to reject all proposals, deny funding after applications have been submitted and to not make any awards.

VII. AGENCY CONTACTS: To be considered for FY2005 funding, initial proposals must be postmarked by February 09, 2005 and mailed to:

Tribal Grants Manager
Office of Air, Waste and Toxics
Environmental Protection Agency
1200 6th Avenue, OAWT-107
Seattle, WA 98101

Applicants seeking information or assistance in preparing a grant proposal may wish to review information available on the EPA web site at: <http://www.epa.gov/r10earth/> by going to the Index and clicking on Grants.

Tribal grantees may also contact their current project officer. Region 10 strongly recommends applicants review the *Tribal Air Grants Framework: Menu of Options* guidance tool for assistance in developing the CAA work plans. It will also be posted at the above site. Copies will be mailed upon request.

VIII. OTHER:

We welcome your feedback on this grant application process and suggestions for how it may be improved in the future. Thank you for your interest in the Region 10 Tribal Air Program.